**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929**

**WP(C).No. 30097 of 2007(G)**
**----------**

**PETITIONERS:**
**----------**

**1. P.S.SIVADASAN PILLAI,**
**PARANKIMAVILAYIL HOUSE, CHOORAKKADU,**
**MANAKKALA, ADOOR.**

**2. J.INDIRA DEVI, W/O. SIVADASAN PILLAI,**
**-DO- -DO-**

**BY ADV. SRI.V.G.ARUN**
**SRI.T.R.HARIKUMAR**

**RESPONDENT:**
**----------**

**KERALA FINANCIAL CORPORATION,**
**PATHANAMTHITTA, REPRESENTED BY ITS**
**BRANCH MANAGER.**

**BY SRI.V.B.UNNIRAJ, SC, KFC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ANTONY DOMINIC, J.**
**==========**
**W.P.(C) NO. 30097 OF 2007 G**
**==========**

**Dated this the 16th day of October, 2007**

**J U D G M E N T**

Petitioners are defaulters to the respondent. In Ext.P2 judgment, this court directed the petitioners to apply for the benefit of one time settlement, on condition that the petitioners remit 1/10th of the dues. Admittedly, petitioners did not comply with this condition and on the other hand, an application was made for the benefit of one time settlement scheme. This has been replied by the respondent by Ext.P4 informing that there is no such scheme in force. It is thereafter that auction notice has been issued as per Ext.P5 and challenging the auction notice, this writ petition has been filed.

2. Petitioners submit that their endeavour is to obtain the best possible price for the property in question. It may be true that the property is valuable. But it is also true that they are defaulters to the respondent. This court had shown leniency to the petitioners and required them to make application for one

time settlement subject to conditions. Having not complied with the said condition, respondent cannot be faulted for the steps it has taken. Writ petition fails and is dismissed.

At this stage, petitioners seek a direction to the respondent to furnish a statement of account. This the respondent shall do within three weeks of receipt of a copy of this judgment.

**ANTONY DOMINIC, JUDGE.**

Rp